

ORDER BELOW EXH - 1
IN
eCRIMINAL CASE NO.5724 of 2025

(1) The complainant has filed the present complaint under ***Section 138 of the Negotiable Instruments Act, 1881***. The process was issued against the accused and the accused appeared before the Court. Plea of the accused was recorded wherein the accused pleaded not guilty. Hence the trial was commenced and matter was posted for recording of evidence. Thereafter on two occasions right of the accused was closed by the Court and on application of the accused, right of the accused was re-opened by this Court. Thereafter Ld. Advocate for the accused initiated cross examination of the complainant on dated: 10-02-2026 and further cross examination of the complainant was postponed on 11-02-2026 due to Court time over. Thereafter on dated: 11-02-2025 Ld. Advocate for the accused submitted an adjournment application for cross examination of the complainant which was rejected by the Court and directed the accused to remain present before the Court. Thereafter the accused filed Criminal Revision Application No.59/2026 wherein the Hon'ble Sessions Court allowed Revision Application of the accused with a condition to co-operate with the Trial

Court and complete the cross examination of the accused within 10 days from the date of the order in Criminal Revision Application No.59/2026. Thereafter Ld. Advocate for the accused initiated cross examination of the complainant on dated:02-03-2026 and further cross examination of the complainant was postponed on 03-03-2026 on request of Ld. Advocate for the accused. Thereafter on dated:03-03-2025 Ld. advocate for the accused submitted an adjournment application for further cross examination of the complainant which was rejected by this Court and directed the accused to remain present before the Court on dated:09-03-2026 for recording their Further Statement. But on dated:09-03-2026 the accused did not remain present before the Court. Hence, the Court directed the accused to remain present before the Court on dated:11-3-2026.

(2) Today also neither the accused nor their learned advocate remained present before this Court to record further statement. Hence, this Court thinks is proper to come to the conclusion that accused does not want to proceed with the matter and to co-operate with the trial court and absence of the accused is deliberate, intentional and conscious decision on the part of the accused. Hence, I pass following order in the interest of the justice.

// ORDER //

The right of the accused to record further statement is hereby ordered to be closed.

Place: Ahmedabad

Date: 11/03/2026

**Presiding Officer
SARAS N.I. Court No.1
CJM Courts, Ahmedabad City
Code No. GJ 01211**